IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 17173 of 2004

Between:

V. Niranjan Rao, S/o. Lakshmaiah,
r/o. 9-2-22, Old Club Road, Khammam, Khammam District.

..... PETITIONER

AND

The Mandal Revenue Officer, Khammam Mandal,
Khammam District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more in the nature of Writ of Mandamus declaring that the respondent has no power or authority under law to grant any assignment in respect of third parties in an extent of Ac.1.00 guntas in S.No. 98 of Khanapuram Village of Khammam Mandal and consequently direct the respondent not to grant any house site pattas in the above said land.

Counsel for the Petitioner:MR.R.N.HEMENDRANATH REDDY

Counsel for the Respondent : GP FOR REVENUE

This Court, at the sate of admission, made the following :

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ORDER:

Earlier, the petitioner has filed Writ Petition No.16980 of 2002, questioning the action of the respondents in interfering with the possession of the petitioner. On noticing that the petitioner has constructed the house in patta land, the said writ petition was disposed of on 11.09.2002, directing the respondents not to interfere with the possession and enjoyment of the petitioner over the subject land without following the procedure prescribed by law.

Learned counsel for the petitioner submits that some third parties are interfering with the petitioner's possession stating that they are being conferred with the pattas on the very same land, which belongs to the petitioner.

Unless the due procedure prescribed under law, is followed, the petitioner cannot be deprived of his property, under the guise of the pattas, and the respondents are under the obligation to put the petitioner on notice before resorting the eviction, if any. As and when such pattas are granted, the petitioner is at liberty to challenge the same before the appropriate Court.

Subject to above observations, the writ petition is disposed of. No costs.

A. GOPAL REDDY, J

September 23rd , 2004
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To:

1. The Mandal Revenue Officer, Khammam Mandal,
   Khammam District.
2 Two C.C.s to the G.P for Revenue,
   High Court Buildings, Hyderabad (OUT).
3 Two C.D. Copies.

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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23rd SEPTEMBER 2004